

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

PETER LORA, et al

1:07 CV 2787

V.

JUDGE DAN AARON POLSTER

DEAN BOLAND

DEFENDANT'S NOTICE OF  
CONSTITUTIONAL QUESTION

In compliance with this court's order (R. 95) Defendant files the attached  
Notice of Constitutional Question in accord with FRCP 5.1(a)(1)(A)(2).

/s/ Dean Boland  
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NOTICE

In accord with Federal Rule of Civil Procedure 5.1(a)(1)(A)(2), Defendant notifies the United States of America that the following constitutional questions have arisen in this matter relating to one or more federal statutes. The questions raised are as follows:

1. Does the application of the federal child pornography possession statutes' criminal or civil provisions to a state or federal defense trial witness who engaged in conduct as outlined in the complaint in this matter violate the Sixth Amendment?
2. Does the definition of child pornography contained in 18 U.S.C. 2256(8)(C), violate the First Amendment?

These questions have been raised in the following papers in this case:

R. 5, 31, 77.

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Proof of Service

A copy of the foregoing will be served May 23, 2011, by operation of the court's electronic filing system and by certified mail to the United States Attorney

General:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

/s/Dean Boland  
Dean Boland 65693